

IN THE UNITED STATES FEDERAL DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

L'TANYA BONNER
6515 Buttercup Lane
Lorain, OH 44053

and

LAWRENCE H. BONNER
6515 Buttercup Lane
Lorain, OH 44053

Plaintiffs

V.

UNITED STATES OF AMERICA
c/o U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Defendant

CASE NO: 1:22-cv-1967

JUDGE: _____

COMPLAINT
(JURY DEMAND ENDORSED HEREON)

COMPLAINT FOR DAMAGES-PERSONAL INJURY

NOW COME the Plaintiffs, L'Tanya and Lawrence H. Bonner, by and through counsel,
to offer the following in their claim for personal injuries and damages against the Defendants,
United States of America as detailed herein.

GENERAL ALLEGATIONS

1. This action arises under the Federal Tort Claims Act §§ 1346(b), 2671-80.
2. This is a Federal Tort Claims Act suit brought by the Plaintiff against the United States of

America, pursuant to the laws of the United States including 28 USC § 1346(b), 2671-2680 which provide jurisdiction in this Court for this action.

3. Plaintiffs have fully complied with the requirements of the laws of the United States including 28 USC ' 2675 by filing claims with the appropriate federal agency, the United States of America, U.S. Department of Justice Federal Bureau of Investigation.

4. The U.S. Department of Justice Federal Bureau of Investigation, has issued a final denial of the Plaintiff's claim in a correspondence dated July 14, 2022, and as such, this action is now ripe for filing, and is being filed timely.

5. The Plaintiffs, L'Tanya and Lawrence Bonner, at all times relevant hereto resided at 6515 Buttercup Lane, Lorain Ohio, within the jurisdiction of this Court.

6. The automobile collision forming the basis of the Plaintiff's Complaint occurred near 1519 West River Road, Elyria, Ohio within the jurisdiction of this Court.

7. Defendant United States of America (hereinafter also referred to as "United States") is the owner and/or operator of the Federal Bureau of Investigation (hereinafter referred to as "FBI") and the employer and principal of all FBI personnel, including, but not limited to, Steven W. Pyles (hereinafter referred to as "Pyles").

8. At all times relevant herein, Pyles was in the course and scope of employment and agency with the United States and/or the FBI, driving a Chevrolet Colorado owned by the Defendant United States and/or FBI.

9. On or about April 19, 2019, while in the course and scope of his employment with the United States and/or the FBI, Steven W. Pyles negligently and/or recklessly operated a Chevrolet Colorado owned by Defendant United States and/or the FBI, and struck the rear of the Plaintiff

L'Tayna Bonner who was operating her motor vehicle in a legal and reasonable manner on West River Road in the City of Elyria, Ohio.

10. On April 19, 2019, the negligence of Pyles and the United States caused Plaintiffs L'Tanya Bonner and Lawrence H. Bonner to suffer from property damage to their 2011 Ford Fusion.

11. The automobile collision caused \$3,365.71 in damage to the Plaintiffs' vehicle and the Plaintiffs paid a \$500.00 property damage deductible for the damage to their 2011 Ford Fusion as a result of the collision caused by Pyle while in the course and scope of his employment with Defendant United States and/or the FBI.

12. This cause of action is the Plaintiffs' exclusive remedy against the United States for the careless negligence of Pyles pursuant to the Federal Tort Claims Act, 28 U.S.C. §1346(b) and 28 U.S.C. § 2671-2680. Plaintiffs are barred from bringing this suit against the FBI or former employee Pyles, in their individual capacity.

13. Jurisdiction of this Court is proper, pursuant to 28. U.C.S. § 1346(b), because the United States is a Defendant.

14. Venue is proper in this Court because the automobile collision occurred in Elyria, Ohio, County of Lorain.

COUNT I. UNITED STATES OF AMERICA:

15. Now Come the Plaintiffs, L'Tanya Bonner and Lawrence Bonner by and through counsel, to offer the following in support of their claim for personal injury and/or property damage against the United States of America:

16. Plaintiffs hereby adopt, reiterate and incorporate by reference each and every allegation set forth in paragraphs 1 through 15 as if fully set forth herein.

17. Plaintiffs were injured and damaged on April 19, 2019, on West River Road, in Elyria, Ohio as a direct and proximate result of the carelessness and negligence of the United States its employee, Pyles.

18. The United States (Pyles) was careless and negligent in one or more of the following respects:

- (a) Pyles failed to keep a careful lookout;
- (b) Pyles failed to maintain an assured clear distance ahead;
- (c) Pyles failed to stop or swerve or take evasive action;
- (d) Pyles failed to adequately control the automobile he was driving.

19. As a direct and proximate result of the United States' carelessness and negligence, Plaintiff L'Tanya Bonner and Lawrence Bonner sustained personal injuries and/or property damage, which is permanent in nature, and will continue to experience pain, discomfort and incur medical bills into the future.

20. As a direct and proximate result of the United States' carelessness and negligence, Plaintiff Lawrence Bonner sustained property damage to his 2011 Ford Fusion, and had to pay his \$500.00 property damage deductible.

21. The Plaintiff have exhausted all administrative remedies pursuant to 28 U.S.C. §1346(b) and 28 U.S.C. § 2671-2680, and have received a final denial from the United States Department of Justice by way of letter dated July 14, 2022.

WHEREFORE, the Plaintiffs pray for judgment against the United States in the amount of \$50,500.00, and any other relief the Court deems to be just and appropriate.

RESPECTFULLY SUBMITTED,

/s/Alexander L. Pal

ALEXANDER L. PAL (0085100)

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JURY DEMAND:

The Plaintiffs respectfully request a trial by the maximum number of jurors permitted under law.

/s/Alexander L. Pal

ALEXANDER L. PAL (0085100)

OBRAL, SILK & PAL, LLC